

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING

OF

TUESDAY, JANUARY 12, 1982

AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Killea at 8:40 a.m. The meeting was recessed by Deputy Mayor Killea at 8:50 a.m. to convene as the Redevelopment Agency. The meeting was reconvened by Mayor Wilson at 11:12 a.m. with all council members present. The meeting was recessed by Mayor Wilson at 12:01 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Wilson at 2:09 p.m. with all council members present.

Mayor Wilson presented a commendation to Council Member Cleator for his participation as chairman for the Cerebral Palsy Day in San Diego, January 16, 1982.

The meeting was recessed by Mayor Wilson at 3:21 p.m. The meeting was reconvened by Mayor Wilson at 3:44 p.m. with all council members present. The meeting was adjourned by Deputy Mayor Killea at 5:05 p.m. into Closed Session in the 12th floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-present.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member Golding-present.
 - (4) Council Member Williams-present.
 - (5) Council Member Struiksma-present.
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Killea-present.
- Clerk-Mutascio (jb a.m.; eb p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Mutascio called the roll:
Mayor Wilson-not present
Council Member Mitchell-present.
Council Member Cleator-present.
Council Member Golding-present.
Council Member Williams-present.

Council Member Struiksma-present.
Council Member Gotch-present.
Council Member Murphy-present.
Council Member Killea- present.

ITEM-30: CONTINUED TO JANUARY 18, 1982

Matter of the RENOVATION of the SANTA FE DEPOT.
FILE LOCATION:
MEET

COUNCIL ACTION: (Tape location: G500-I164).

Motion by Golding to direct Centre City Development Corporation to negotiate an owner participation agreement with Santa Fe Industries. Second by Cleator. No vote.

MOTION BY MITCHELL TO CONTINUE TO JANUARY 18, 1982, AT COUNCIL MEMBER MITCHELL'S REQUEST. Second by Cleator. Passed by the following vote: Mitchell-yea Cleator-yea Golding-yea Williams-not present Struiksma-yea Gotch-nay Murphy-yea Killea-yea Mayor Wilson-not present.

ITEM-310: PRESENTED

PRESENTATION by REPRESENTATIVES of the AMERICAN FARM BUREAU FEDERATION.
FILE LOCATION:
MEET
COUNCIL ACTION: (Tape location: F036-231).

ITEM-330: (R-82-) GRANTED AMENDMENT, ADOPTED AS RESOLUTION R-255655

Matter of APPROVING OR DENYING an amendment to CONDITIONAL USE PERMIT CUP- 10-284-2, to erect and display wall sign identification on four sides of the Union Tribune Building.
The site location is 350 Camino de la Reina and is more particularly described as LOT 2, GOLDEN VALLEY UNIT NO. 2, MAP-6960, in the CO and FW ZONES.
(CUP-10-284-2. DISTRICT-5.)

FILE LOCATION:

PERM CUP-284

COUNCIL ACTION: (Tape location: A010-075).

Hearing began at 8:40 a.m. and halted at 8:45 a.m.

Testimony in favor by Martin Mc Gowan.

MOTION BY GOTCH TO CLOSE HEARING AND ADOPT THE RESOLUTION GRANTING THE AMENDMENT. Second by Struiksma. Passed by the

following vote: Mitchell-yea Cleator-yea Golding-yea
Williams-yea Struiksmayea Gotch-yea Murphy-yea Killea-yea Mayor
Wilson-not present.

ITEM-331:

19820112

APPEAL of JAY M. BRAUN, from the decision of the PLANNING COMMISSION in APPROVING an AMENDMENT to PLANNED RESIDENTIAL DEVELOPMENT PRD-20-143-0 to add six dwelling units and construct a combination of single-family attached and detached units, for an increase to 61 units, located north of Ash Street between Whaley and Pennell Avenues in the R-1-5 and R-2 (portion HR) ZONES, within the boundaries of the Greater Golden Hill Precise Plan and Park Northeast Community Plan. The subject property is more particularly described as a portion of CHOATES ADDITION, MAP-351 and portions of MORSE, WHALEY and DALTON's SUBDIVISION, MAP-516. (PRD-20-143-1. DISTRICT-8.)

Subitem-A: (R-82-) ADOPTED AS RESOLUTION R-255656

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-78-08-37 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-82-) DENIED APPEAL AND GRANTED AMENDMENT, ADOPTED AS RESOLUTION R-255657

ADOPTION of a RESOLUTION granting the appeal and denying the amendment, or denying the appeal and granting the amendment.

Subitem-C: (R-82-) ADOPTED AS RESOLUTION R-255658

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-78-08-37.

FILE LOCATION: PERM PRD-143

COUNCIL ACTION: (Tape location: A076-126).

Hearing began at 8:45 a.m. and halted at 8:50 a.m.

MOTION BY MURPHY TO CLOSE HEARING, DENY THE APPEAL AND GRANT THE AMENDMENT. Second by Struiksmayea. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea,

Struiksmayea, Gotchyea, Murphyyea, Killeayea,
Mayor Wilson-not present.

ITEM-332: (R-82-) DENIED APPEAL, ADOPTED AS RESOLUTION R-255659

19820112

APPEAL OF ATLANTIC RICHFIELD COMPANY, by C. Samuel Blick,
Attorney, from the decision of the PLANNING COMMISSION in
APPROVING CONDITIONAL USE PERMIT CUP-10- 647-0, to modernize
the existing service station by providing a convenience food
store and self-service gasoline station, with limited hours of
operation, on a 17,888 sq. ft. site in the CN ZONE. The
subject property is located on the southwest corner of Mission
Village Drive and Shawn Avenue, in the Serra Mesa Community
Plan area, and is more particularly described as LOT 1098,
MISSION VILLAGE UNIT NO. 11, MAP-3977.
(CUP-10-647-0. DISTRICT-5.)

FILE LOCATION: PERM CUP-647

COUNCIL ACTION: (Tape location: D319-E096).

Hearing began at 11:12 a.m. and halted at 11:38 a.m.

Council Member Cleator left at 11:30 a.m.

Testimony in favor by Samuel Blick.

MOTION BY KILLEA TO CLOSE HEARING AND ADOPT RESOLUTION
DENYING

THE APPEAL. Second by Mitchell. Passed by the following vote:
Mitchellyea, Cleator-not present, Goldingnay, Williamsyea,
Struiksmayea, Gotchyea, Murphynay, Killeayea,
Mayor Wilsonyea.

ITEM-333:

19820112

Matter of REZONING a portion of TRACTS "C" and 33 of LA MESA
COLONY, MAP-346 (approximately 22,041 sq. ft.), located in the
block bounded by Amherst Street, 67th Street and El Cajon
Boulevard, in the Mid-City Development Plan area, from ZONE R-3
to ZONE C-1.

(Case-5-81-083. DISTRICT-7)

(Planning Commission voted 5-0 to APPROVE C-1 Zoning subject
to recordation of a final subdivision map or maps within two
years.)

Subitem-A: (R-82-1019) ADOPTED AS RESOLUTION R-255660

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-09-12 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-82-106) INTRODUCED, TO BE ADOPTED JANUARY 25, 1982.

INTRODUCTION of an ORDINANCE for C-1 Zoning.

FILE LOCATION: ZONE 1/12/82

COUNCIL ACTION: (Tape location: I235-253).

Hearing began 4:54 p.m. and halted 4:55 p.m.

MOTION BY MURPHY TO CLOSE THE HEARING, ADOPT SUBITEM-A AND INTRODUCE SUBITEM-B. Second by Gotch. Passed by the following

vote: Mitchell-not present, Cleator-yea, Golding-yea,

Williams-not present, Struiksmay-yea, Gotch-yea, Murphy-yea,

Killea-yea, Mayor Wilson-not present.

ITEM-334:

19820112

Matter of REZONING a portion of the NORTHEAST 1/4 of SECTION 7, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. and a portion of RANCHO DE LOS PENASQUITOS (approximately 36 acres), located north of Oviedo Street and approximately 1,600 feet east of Black Mountain Road, in the Penasquitos East Community Plan area from ZONE A1-10 (portion's Hillside Reveiw) to ZONE R-1-5. (Case-5-81-089. DISTRICT-1.)

(Planning Commission voted 5-0 to APPROVE R-1-5 Zoning on a reduced area subject to the recordation of a final subdivision map or maps within two years.)

Subitem-A: (R-82-1023) ADOPTED AS RESOLUTION R-255661

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-05-16 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-82-110) INTRODUCED, TO BE ADOPTED JANUARY 25, 1981.

INTRODUCTION of an ORDINANCE for R-1-5 Zoning.

FILE LOCATION: ZONE 1/12/82

COUNCIL ACTION: (Tape location: I254-274).

Hearing began 4:56 p.m. and halted 4:57 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT SUBITEM-A AND INTRODUCE SUBITEM- B. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Williams-not present, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-335:

19820112

Matter of REZONING portions of RANCHO DE LOS PENASQUITOS, and the NORTHEAST 1/4 of SECTION 25, TOWNSHIP 14 SOUTH, RANGE 3 WEST, S.B.B.M. (approximately 22.62 acres), located north of Menkar Road at the termination of Hadar and Alkaid Drives, in the Mira Mesa Community Plan area, from ZONE A1-10 to ZONE R-1-5. (Case-5-81-069. DISTRICT-5.)

(Planning Commission voted 5-0 to APPROVE R-1-5 Zoning subject to the recordation of a final subdivision map or maps within two years.)

Subitem-A: (R-82-1021) ADOPTED AS RESOLUTION R-255662

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-07-20 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-82-108) INTRODUCED, TO BE ADOPTED JANUARY 25, 1982

INTRODUCTION of an ORDINANCE for R-1-5 Zoning.

FILE LOCATION: ZONE 1/12/82

COUNCIL ACTION: (Tape location: I276-292).

Hearing began 4:57 a.m. and halted 4:58 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT SUBITEM-A AND INTRODUCE SUBITEM- B. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Williams-not present, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-336: CONTINUED TO JANUARY 19, 1982, 2:00 P.M. TIME CERTAIN

19820112

Matter of REZONING the SOUTH 1/2 of the NORTH 1/2 of LOT 41, HORTON'S PURCHASE in EX-MISSION LANDS, MAP-283 (approximately 2.70 acres), located at the southwest corner of Market Street and Euclid Avenue, in the Southeast San Diego Community Plan area, from ZONES C and R-2 to ZONES M-1A and M-1B. (Case-5-81-079. DISTRICT-4.)

(Planning Commission voted 5-0 to APPROVE M-1B Zoning subject to the recordation of a final parcel map or maps within two years.)

Subitem-A: (R-82-1020)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-08-26 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-82-107)

INTRODUCTION of an ORDINANCE for M-1B Zoning.

FILE LOCATION: ZONE 1/12/82

COUNCIL ACTION: (Tape location: I293-315).

MOTION BY GOLDING TO CONTINUE TO JANUARY 19, 1982, 2:00 P.M. TIME CERTAIN AT COUNCIL MEMBER WILLIAMS' REQUEST. Second by Struiksma. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Williams-not present, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-UC-1: CONTINUED TO JANUARY 25, 1982, 3:00 P.M. TIME CERTAIN

(Continued from the meeting of January 11, 1982) A matter presented to the City Council with UNANIMOUS CONSENT:

A matter of a status report by the City Manager on the negotiations with De Anza Corporation.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E102-419 and F288-G450).

Motion by Killea to suspend the rules to permit consideration of the motion rather than the item before Council. The motion was to direct the Property Department to use the stepped-up rate of increase originally approved by Council, which is on space revenue and not gross revenue and increases to 20%. Second by Mitchell. Passed. Yeas: 1,3,4,6,7,8. Nays: 2,5,M.

MOTION BY MURPHY TO CONTINUE TO JANUARY 25, 1982, 3:00 P.M. TIME CERTAIN, AND DIRECT THE CITY MANAGER TO NEGOTIATE WITH DE ANZA CORPORATION FOR A TOTAL RENT TO BE AS CLOSE TO 41.4 MILLION AND A TOTAL PRESENT VALUE TO BE AS CLOSE TO 8.7 MILLION AS PRACTICABLE AND

REPORT BACK TO COUNCIL ON JANUARY 25, 1982, ON THE PROPOSED LEASE AMENDMENT AND ALSO THE APPROPRIATE FINDINGS RELATIVE TO STATE ASSEMBLY BILL 447. Second by Gotch. Passed by the following vote: Mitchell-yea Cleator-yea Golding-yea Williams-yea Struiksma-yea Gotch-yea Murphy-yea Killea-yea Mayor Wilson-nay.

ITEM-UC-2: (R-82-1129) ADOPTED AS RESOLUTION R-255663

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Authorizing an agreement with National Center for Municipal Development for procuring office space and services in connection with San Diego's Washington, D.C., legislative representative, for the period January 1, 1982 through June 30, 1982.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: I275-285).

MOTION BY GOLDING TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-not present Cleator-yea Golding-yea Williams-not present Struiksma-yea Gotch-not present Murphy-yea Killea-yea Mayor Wilson-not present.

ITEM-UC-3: (R-82-1073) CONTINUED TO JANUARY 18, 1982

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Authorizing a Sublease Agreement with John M. Witzel, for providing office space for The City of San Diego's Sacramento Legislative Representative.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: I285-300).

Motion by Cleator to adopt. Second by Golding. Passed. Yeas: 2,3,5,7,8. Nays: None. Not present: 1,4,6,M.

MOTION BY MURPHY TO RECONSIDER AND CONTINUE TO JANUARY 18, 1982,

AT COUNCIL MEMBER MURPHY'S REQUEST. Second by Cleator. Passed by the following vote: Mitchell-not present Cleator-yea Golding-yea Williams-not present Struiksma-yea Gotch-not present Murphy-yea

Killea-yea Mayor Wilson-not present.

ITEM-UC-4: (R-82-1072) CONTINUED TO JANUARY 18, 1982

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Approving an agreement with John M. Witzel for providing
legislative representative services on behalf of the City of
San Diego for the period January 1, 1982, through December 31,
1982.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: I290-300).

MOTION BY MURPHY TO CONTINUE TO JANUARY 18, 1982, AT COUNCIL
MEMBER MURPHY'S REQUEST. Second by Cleator. Passed by the
following vote: Mitchell-not present. Cleator-yea Golding-yea
Williams-not present Struiksma-yea Gotch-not present Murphy-yea
Killea-yea Mayor Wilson-not present.

ITEM-UC-5: (R-82-1163) ADOPTED AS RESOLUTION R-255664

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Declaring the week of January 11 through 17, 1982, Dr.
Martin Luther King, Jr. week.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: I300-310).

MOTION BY GOLDING TO ADOPT. Second by Cleator. Passed by the
following vote: Mitchell-not present Cleator-yea Golding-yea
Williams-not present Struiksma-yea Gotch-not present Murphy-yea
Killea-yea Mayor Wilson-not present.

ADJOURNMENT:

By common consent the meeting was adjourned by Deputy Mayor
Killea to meet in Closed Session in the 12th floor council
conference room on pending litigation.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: I435).